

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GABRIEL J. HALL and ALAN RAMALEY

Appeal No. 2006-2605
Application 09/577,909
Technology Center 2100

Decided: February 27, 2007

Before JAMES D. THOMAS, JEAN R. HOMERE, and JAY P. LUCAS,
Administrative Patent Judges.

THOMAS, *Administrative Patent Judge.*

DECISION ON APPEAL

Pursuant to 35 U.S.C. § 134, Appellants have appealed to the Board from the Examiner's final rejection of claims 1 through 35.

Representative independent claim 1 is reproduced below:

1. A method for automatically attaching a web page as a single file to an email note, the method comprising the steps of:

in response to an attachment event, determining whether a selected file is a web page;

in response to a determination that the selected file is a web page, determining whether the selected file includes at least one link to at least one resource file; and

in response to a determination that the selected file includes at least one link to at least one resource file, packing the selected file and the at least one resource file into a single attachment file and attaching the attachment file to the email note

The following references are relied on by the Examiner:

Mantha	US 6,163,779	Dec. 19, 2000 (filed Sep. 29, 1997)
Gabbard	US 6,205,432 B1	Mar. 20, 2001 (filed Nov. 16, 1998)
Borman	US 6,226,655 B1	May 1, 2001 (filed Dec. 2, 1998)
Gupta	US 6,519,646 B1	Feb. 11, 2003 (filed Sep. 1, 1998)

Claims 1, 3, 4, 7, 8, 10, 12, 13, 16 through 20, 22 through 24, and 27 through 35 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Mantha. All remaining claims on appeal stand rejected under 35 U.S.C.

§ 103. As evidence of obviousness, as to claims 2, 11, and 26, the Examiner relies upon Mantha in view of Borman. As to claims 5, 6, 14, and 15, the Examiner relies upon Mantha in view of Gupta, and as to claims 9, 21, and 25, the Examiner relies upon Mantha in view of Gabbard.

Rather than repeat the positions of the Appellants and the Examiner, reference is made to the Brief and Reply Brief for Appellants' positions, and to the Answer for the Examiner's positions.

OPINION

We reverse.

Each of independent claims 1, 10, 22, and 29 recites in some manner packing a selected file and at least one resource file into a single attachment file and then attaching this attachment file to an email note. Each of the noted independent claims is rejected as being anticipated by Mantha.

As best expressed by the Examiner at page 13 of the Answer, the Examiner is of the view that a file directory (which is a type of file since it is self-contained) reads on the noted language of the independent claims on appeal of packing separate and distinct files into a single file. This view of the Examiner is derived from the teaching at column 13, lines 39 through 47 of Mantha which we reproduce here:

The file directory (for the copied pages (e.g. c:\user\copies\c1.htm, il.jpg, etc.)) is self-contained and needs no other files or system dependent information to view the copied page. As a result, the invention may be used with an e-mail application to simplify the transfer of the saved Web page. In particular, the user simply attaches a copy of the directory contents to the e-mail and all embedded files get transferred. This is a simple and efficient means of e-mailing a Web page.

Thus, the Examiner apparently is of the view on the basis of this portion that the noted file directory is one directory or one file that is attached to an email note as claimed. We do not agree with these views expressed by the Examiner.

As best shown in Figure 9 in Mantha, this reference saves a copy of the HTML based document (a web page) and each of its associated embedded objects, such as image files, sound files or video files, etc., on the client hard drive such as element 70 in Figure 9. As generally expressed in Appellants' initial arguments at pages 6 and 7 of the principal Brief on appeal, to the extent that Mantha at column 13 teaches that the local storage with a container directory may have packed or otherwise packaged selected files and their corresponding resource files as claimed all relating to a retrieved web page, the above quoted portion at column 13 of Mantha does not describe or suggest attaching the entire directory itself to an email note. The noted portion at column 13 of Mantha merely indicates the user's ability to attach a copy of the directory contents to an email and all embedded files to get transferred. Copying the contents of a directory including any attached embedded or related or associated documents therewith to an email note is not the same as the corresponding requirement of the claim of copying the directory itself and attaching it to the email note. It appears to us that the artisan would interpret this relatively brief teaching of email attachment in Mantha to the conventional approach of attaching each of the respective files separately to an email note, which is essentially part of the prior art approach according to Appellants' discussion of this in the earlier portions of the Specification as filed. Mantha's contribution in the art is that all required information of a given web page is collected or otherwise copied at one location within a local device for a user's convenience.

In a corresponding manner, the brief discussion of Figure 9 of Mantha beginning at the bottom of column 9 of this reference is worthy of note as well. To the extent this teaching indicates that the Category page 45 of this

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figure is saved to a local storage 70 and includes a pointer 68 to a new page 62', activation of this pointer is said to pull this new page 62' and its linked contents, such as any embedded objects, off of the local storage device to retrieve the saved web page. There is no corresponding teaching that this category page, as a single attachment file, itself in turn may be attached to an email. Lastly, it is worthy of note as well that the only portion of Mantha that appears to relate to emailing any document is the noted discussion at column 13 of this reference.

Inasmuch as we have reversed the rejection of the independent claims 1, 10, 22, and 29 as being anticipated by Mantha and all the other associated dependent claims in the first stated rejection under 35 U.S.C. § 102, the rejection of the remaining dependent claims on appeal under 35 U.S.C. § 103 must necessarily also be reversed as well. Therefore, the decision of the Examiner rejecting various claims under 35 U.S.C. §§ 102 and 103 is reversed.

REVERSED

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